

MINUTES
OF THE REGULAR MEETING OF THE
EDINA CITY COUNCIL
HELD AT CITY HALL
FEBRUARY 21, 2006
7:00 P.M.

ROLLCALL Answering rollcall were Members Housh, Hulbert, Masica, Swenson and Mayor Hovland.

CONSENT AGENDA ITEMS APPROVED Motion made by Member Swenson and seconded by Member Housh approving the Council Consent Agenda as presented with the exception of Agenda Item I. Approval of Minutes for the Regular Meeting of February 7, 2006.

Rollcall:

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

DAVID BYRON REMEMBERED Mayor Hovland said on February 13, 2006, the City of Edina lost a wonderful volunteer and delightful man. David Byron was appointed to the Planning Commission in 1990 and served as its Chair this past year. He served on the City's Board of Appeals simultaneously with the Planning Commission as well. Mayor Hovland offered heartfelt sympathy to the family and asked that a moment of silence in remembrance of David Byron be observed.

MINUTES OF THE REGULAR MEETING OF FEBRUARY 7, 2006, APPROVED AS CORRECTED Member Masica removed the approval of the Minutes of the Regular Meeting of February 7, 2006, from the Consent Agenda to make corrections. **Member Masica made a motion approving the Minutes of the Regular Meeting of the Edina City Council for February 7, 2006, as corrected.** Member Hulbert seconded the motion.

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

***PUBLIC HEARING ON WATERMAIN IMPROVEMENT NO. WM-451 (NINE MILE VILLAGE TOWNHOMES) CONTINUED TO MARCH 6, 2006, COUNCIL MEETING** Motion made by Member Swenson and seconded by Member Housh approving the continuation of the Public Hearing on Watermain Improvement No. WM-451 for the Nine Mile Village Townhomes to March 6, 2006.

Motion carried on rollcall vote - five ayes.

GREATER SOUTHDALE AREA LAND USE AND TRANSPORTATION STUDY RECEIVED BY COUNCIL Manager Hughes noted the Council had on February 7, 2006, conducted a public hearing with respect to the Greater Southdale Area Land Use and Transportation Study. He added that all correspondence received to date had either been sent in the Council packets or placed on the desk in front of the Council for review.

The Council discussed the potential hiring of the Centennial Lakes landscape architect as a consultant, possible preparation of an executive summary for the Study; preparation of an addendum to the study; concern that citizens realize the Study was not a literal plan; the

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Planning Commission's receipt of the Study, and noting the Study was not a comprehensive land use plan. Following the discussion, **Member Hulbert made a motion receiving the Greater Southdale Area Land Use and Transportation Study, with the following conditions: 1) all correspondence received through February 21, 2006 will be appended to the Study; 2) the Planning Commission Minutes of February 1, 2006 will be appended to the study; 3) the City Council Minutes of February 7 and February 21, 2006, will be appended to the study; and 4) the promenade will be limited to pedestrian, bike and transit traffic, and will not allow vehicular traffic.** Member Masica seconded the motion.

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

ORDINANCE NO, 2006-2 GRANTED FIRST READING - AMENDING EDINA CODE SECTION 850.07, 850.08 AND 850.16 OF ZONING REGULATIONS Affidavits of Notice were presented, approved and ordered placed on file.

Mr. Hughes noted the Council held a special work session on February 13, 2006, to review potential changes to the Planned Commercial District-3 of Section 850. He added that during the meeting the City Council would conduct a public hearing with respect to Ordinance No. 2006-02 which proposed to amend Section 850 of the City Code (the "Zoning Ordinance.") Mr. Hughes noted the amendment principally focused on the requirements of the Planned Commercial District-3 (PCD-3) zone which comprised most of the retail-oriented properties in the Greater Southdale Area. He added there were no PCD-3 properties in any other areas of the City. Mr. Hughes said he had submitted to the Council a "red-lined" version of the relevant portions of the Zoning Ordinance Section 850 which provided a context for the changes proposed by Ordinance No. 2006-02.

Mr. Hughes explained the proposed ordinance was offered for two reasons: First, it provided an initial step toward implementing some of the concepts contained in the Greater Southdale Area Land Use and Transportation Study. Second, it provided an ordinance context for the City Council's evaluation of the proposal with respect to the Galleria property.

Mr. Hughes said at their February 13, 2006, Council Work Session a draft of the subject ordinance was reviewed. He asked the Council to note the following changes resulting from the work session:

- The PCD-3 district was split into the area north of W. 70th Street and the area south of W. 70th Street. The present PCD-3 code requirements for the area south of 70th would remain essentially unchanged from the current rules.
- The height limit for the areas east of York and west of France was reduced from eight stories (as contained in the original draft) to four stories.
- A new Section 12 was added to the proposed ordinance prescribing design standards for parking ramps. Please note that these requirements would apply to all parking ramps - not just those in the PCD-3 district.
- A new Section 13 was added prescribing requirements for sidewalks and trails. Please note that these requirements would apply to any property seeking rezoning, final development plan or conditional use approval - not just those properties in the PCD-3 district.

OVERVIEW OF PROPOSED CHANGES TO PCD-3 SUBDISTRICT

The proposed amendment generally would allow for an increase in intensity and building height and amend other requirements in the PCD-3 subdistrict. The following comprise the more significant changes:

FAR (Floor Area Ratio) FAR has been defined as the floor area of all buildings on a tract of land divided by the area of the tract. As to FAR, the ordinance would provide that the maximum allowable FAR on a tract could increase from the current maximum of 0.5 to 1.0, however, not more than .75 could comprise non-residential uses with the balance composed of residential uses. In addition, a "bonus" FAR of .25 would also be allowed for residential units that meet an "affordability" standard as agreed to by the Edina HRA.

The proposed changes to FAR will have the effect of allowing a general intensification of commercial uses in the district while providing incentives to include housing, especially affordable housing in the PCD-3 district.

Mr. Hughes said it was important to note that a number of uses now allowed as permitted principal use have been reclassified as conditional uses. This will allow greater control by the City over the approval process for these uses. In particular, any residential use as well as non-residential uses that exceed an FAR of 0.5 will require conditional use permits.

Mr. Hughes said as previously noted, a distinction would be made in the ordinance between properties located north of W. 70th Street and those to the south.

BUILDING SETBACK The proposed ordinance would reduce the minimum setbacks from property lines from 50 feet to 35 feet. The current code requires that the setbacks be increased by one foot for every foot that height exceeds 50 feet. This requirement was retained in the proposed code, but only for properties located east of York Avenue, west of France Avenue and south of W. 70th Street. For properties between York and France, setbacks would be reduced to 1/3 foot for each foot of height in excess of 50 feet. This change effectively permits taller buildings in the core of the Southdale Area as discussed in the Southdale Area Study. The proposed ordinance also provides that the City will consider exceptions to the setback requirements in order to encourage a closer relationship between storefronts and streetscapes.

As noted above, a distinction would be made in the ordinance between properties located north of W. 70th Street and those to the south.

MAXIMUM HEIGHT The current code does not provide for a maximum building height in PCD-3. In that the aforementioned setback revisions will accommodate taller structures, we felt it advisable to provide an over arching maximum. Twenty stories are suggested for the area between France and York and four stories is suggested for the area east of York and west of France. Current requirements for the area south of W. 70th Street are unchanged.

TDM REQUIREMENT The proposed ordinance requires the preparation of a travel demand management plan as part of the approval process for new office buildings in PCD-3. Given the peak hour travel characteristics of office buildings, it was felt that this would be an important element of the approval process.

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SANITARY SEWER CAPACITY The Metropolitan Council was proceeding with a feasibility study for the purpose of increasing the capacity of the sanitary sewer interceptor that serves this part of the City. Based on their normal schedule for such a project, the City does not expect that additional capacity will be provided for five years. Therefore, staff was recommending that any new development in PCD-3 that exceeds the currently allowed densities must include facilities for retaining sewer discharges on site during peak flow conditions.

CONTEXT OF DENSITY AND BUILDING HEIGHTS IN PCD-3 In reviewing the proposed ordinance amendments, it was important to put the PCD-3 subdistrict in context with 1) other commercial districts in the City, and 2) other zoning districts in the Greater Southdale area.

COMPARISON WITH PCD-1 AND PCD-2 SUBDISTRICTS The City, for planning purposes, has traditionally viewed PCD-1 as “neighborhood retail”, PCD-2 as “community retail” and PCD-3 as “regional retail”. PCD-1 includes the 44th and France, Valley View and Wooddale and 70th and Cahill shopping areas. PCD-2 includes 50th and France and Grandview. Although the PCD-3 subdistrict is larger in area and permits taller buildings, the maximum allowed FAR is considerably less than permitted in PCD-1 and PCD-2:

Current Allowed FAR

PCD-1	1.0
PCD-2	1.5
PCD-3	0.5

COMPARISON WITH OTHER ZONING DISTRICTS IN THE SOUTHDAL E AREA The other predominant non-residential zoning districts in the greater Southdale area include the Regional Medical District (RMD), the Mixed Development District (MDD) and the Planned Office District (POD). The following compares current maximum allowed FAR’s for these districts:

Current Allowed FAR

RMD	1.0
MDD	1.0 (Non-residential uses may not exceed 0.5)
POD	0.5

PARKING RAMP STANDARDS The proposed ordinance prescribes standards for parking ramps in the City. These requirements would apply to all ramps, not just those in the PCD-3 district. The purpose of these standards is to require ramps that are complementary in design and color to the principal buildings that the ramp serves. The standards also encourage, but not require, that developers consider ground floor retail and service uses in ramps where appropriate.

SIDEWALKS AND TRAILS The proposed amendment includes a requirement that developments must include sidewalks and trails identified in the City’s sidewalk and trail plan. This requirement would apply to all larger scale developments in the City – not just the PCD-3 district. The standards also require sidewalk linkages between developments to foster connectivity for pedestrians.

PUBLIC COMMENT

Janet Bohan, 800 Coventry Place, said the Centennial Lake/Cornelia Neighborhood Association sent a letter to residents of Coventry Townhomes, Village Homes at Edinborough Way, 7200 York Plaza Condominiums, 7500 York Condominiums, plus approximately 300 Cornelia neighborhood residents informing them of the proposed amendment to the zoning regulations.

Ms. Bohan urged the Council to not adopt any changes to the zoning regulations and further to consider the idea of a performing arts center on the Centennial Lakes site. Ms. Bohan submitted a copy of her comments to be placed in the public record.

Diane Anselmo-Lacey, 7400 Edinborough Way, protested any amendment to the zoning regulations that would allow high rise buildings to be built. She said that the neighbors had overwhelmingly established they did not want high-rise building for profit and stated such allowing such development would adversely affect residents. Ms. Anselmo-Lacey submitted a copy of her comments to be placed in the public record.

Sara Noah, 511 Coventry Lane, made four points: 1) there was a strong precedent for redevelopment in other areas of the Twin Cities to embrace affected resident involvement; 2) the Centennial Lakes/Cornelia Neighborhood Association was an existing neighborhood, not a commercial development site; 3) the City should adopt a collaborative approach to redevelopment and solicit significant input from local affected residents before plans get approved of any zoning changes were made and 4) form a new community advisory committee with a majority of residents from the greater Southdale area, with the mission of developing the guiding principles and ground rules for developments in the Southdale area. Ms. Noah submitted a copy of her comments to be placed in the public record.

Mark Peterson, 7330 Gallagher Drive, stated it looked to him that anything which would enhance the vitality of the area would be good for everyone. He urged the Council to ensure the design was of good quality when moving forward.

Lois Ring, 7440 Edinborough, stated her intent to focus on design based on her thirteen years of experience with Ellerbe Architects. She suggested the Council: 1) initiate a community focus group/team allowing a voice for local input; 2) conduct a design competition award offering a stipend for the design or designs selected; 3) ask the Minneapolis Chapter of the AIA to offer a "charrette" (a short activity involving ideas with sketches); and 4) consider a design workshop inviting landscape architects/student for their ideas which could include pictorial form and sketches. Ms. Ring said there were many options. Ms. Ring submitted a copy of her comments to be placed in the public record.

Wayne Carlson, 523 Coventry Lane, suggested that all issues could be worked out and the City could have a great project. He pointed out that there were 150 people in attendance who did not want any development projects in the Greater Southdale Area, but that many thousands of people who want projects were not in attendance. Mr. Carlson said he did not believe a performing arts center would be feasible. He urged the Council to move forward with the amendments and development proposals.

John Cummings, 6940 Cornelia Drive, suggested that information had been received by the Council that should be amended into the Southdale Plan, which should be done before any rezoning was undertaken. Mr. Cummings asked what was the proposed height limit for the PCD-3 area south of West 70th Street including the area occupied by the Dayton's Home Store. Mr. Hughes explained that the regulation did not have a specific height limit, but rather the was governed by building setbacks, for example for each foot by which a building exceeded 50 feet, they would be required to have an additional foot of setback, so a sixty-foot building would

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require a sixty-foot setback. He added this requirement has limited the height a building could achieve.

John Hatzung, 6024 York Avenue, stated he had participated in one workshop at Braemar. Mr. Hatzung said he was excited to see the item included in the plan. He said he has been in retail development across the United States and that Edina is one of the best cities. The Centennial Lakes and Southdale areas were the jewels of Edina. Mr. Hatzung said the Council should have a clear understanding of what high density was and what it could mean for the community. He stated that increasing the density would: allow existing residents to stay in the community, would create the critical mass needed to make community amenities available allowing all residents access to higher quality amenities, and would allow sustainability of the community providing more alternatives.

Dan Moffatt, 6433 Parnell Avenue, said he was sympathetic with the neighborhood association. Mr. Moffatt said he was a transplanted Long Islander and the difference in Edina was that there was no mass transit. Mr. Moffatt said he felt rezoning would open doors to huge traffic congestion. He urged caution in pursuing any amendments to regulations and gave his support to the performing arts center.

Joseph Hulbert, 7507 West Shore Drive, asked that speakers disclose whether they had a vested interest in a development project. He disagreed with characterizing the Greater Southdale Area as urban and said he lived in a suburban neighborhood and community. Mr. Hulbert said he feared higher density will bring additional traffic to an already congested area. In addition, the increased traffic will pollute the air, adding he felt there was a lack of infrastructure to sustain increased density in the area.

John Bohan, 800 Coventry Place, read from a prepared statement he entered into the public record, stating the Greater Southdale Area Study ignored residential neighborhood and traffic. He said the Study was a developers' blueprint and not a vision. Mr. Bohan said he felt the notice of the December Cypress Equities hearing was inadequate and that communication with the Council absent. Mr. Bohan reiterated that residents did not want increased density and asked the Council to not act on the proposed amendment and to engage a design consultant to address the PCD-3 area north of 70th Street.

Gene Persha, 6917 Cornelia Drive, suggested the Council needed to do further research before enacting any zoning changes. He noted that a Comprehensive Plan review would be required by 2009 and that the total infrastructure should be reviewed. He referred to the report he had previously sent the Council suggesting the Council wait before enacting any zoning changes.

Roberta Thorpe, 6904 Cornelia Drive, stated she was opposed to high rise developments for the same reasons already stated. She expressed a concern for the water supply and the sewer system if the new developments were approved. Ms. Thorpe asked if the Fire Department would have the equipment to respond to tall buildings. She asked that a scaled model be built and indicated she would like to see the AMC site a performing arts center. She asked the Council to not make any changes to the zoning regulations. Mayor Hovland asked staff to respond to the questions about water, sanitary sewer and fire response ability. Engineer Houle said Edina had 18 deep wells, but only used seven during most of the year. The other wells were activated only when there was a large demand for yard watering. He added there was adequate pressure and no new

tower would be needed. Mr. Houle said there also was adequate sewer capacity. Fire Chief Scheerer explained that tall buildings were required to have fire suppression systems when they were built and that he believed the department could respond adequately. Member Housh pointed out the Edina Fire Department had rescued people from the top of the Edina Water Tower as well as assisted with rescues in neighboring communities.

Harold Babb, 4701 West 70th Street, expressed his concern about amending the zoning ordinance, giving a developer the ability to purchase property which they would sit on, then use to strong arm a future council into giving them what they wanted. He stated he was against any high rise developments and suggested an impact fee be imposed. Mayor Hovland explained cities were not allowed by state law to impose impact fees.

Sandy Phillips, 6800 Cornelia Drive, expressed concern about traffic in the area. She said if a new development were approved the Council must have the needed infrastructure to support it. Ms. Phillips asked the Council to table everything until the traffic has been clearly defined in black and white. Ms. Phillips said she felt that rumors were flying and the Council should clarify exactly what was proposed.

Dana Widstrom, 5032 Juanita Drive, said he worked in the industry. Mr. Widstrom suggested that reasonable people disagree. He said that one of Edina's strengths was that Southdale was a regional center. Mr. Widstrom agreed with keeping the height to four stories on the edges or buffer zones of the Southdale area. He said that he feared Southdale might not possibly be a "gem" in ten years if nothing were done now to maintain the viability of the area. Mr. Widstrom said that developers were not evil, just people responding to a market and he encouraged residents to look at the issue from different perspectives. He also commented that residential development would not generate as much traffic as office development.

Sharon Ming, 1103 Coventry Place, stated she agreed with making the proposed changes. Ms. Ming said she wanted the area kept vibrant and vital. She commended the suggestion of offering density bonuses for including affordable housing. Ms. Ming said Edina was losing affordability of housing and that work force housing was scarce in Edina.

Wanda Fraiser, 7740 York Avenue South expressed concern about allowing tall buildings south of West 70th Street. She said that over ten stories were difficult for elderly people.

Lynn Hechanova, 5649 Interlachen Circle, stated while she was not a resident of the immediate area, she felt that twenty stories was out of scale for the area.

Jack Rice, 4801 Hilltop Lane, said he supported the proposed zoning ordinance amendments. Mr. Rice said that 32 years ago he represented Dayton's and that he sold the Galleria property to Warren Beck. He noted the development was done in three phases Southdale, then the Galleria, then Centennial Lakes, commenting he felt it has worked out pretty well in spite of issues with traffic.

Bob Aderhold, 3529 West 54th Street, said he generally supported the proposed zoning changes and the Southdale Study. He also supported the density bonuses for affordable housing. Ms. Aderhold said the region was growing and becoming denser and perhaps this area was the right

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place for increased density. He added that he agreed that Southdale was a regional center and should be viewed as such.

JoEllen Deever, 7605 Oaklawn Avenue, spoke about Southdale being the first indoor retail mall. She pointed out that when Southdale was built no one lived in the Cornelia area and agreed with previous speakers concerns about increased density and traffic. She urged that the changes not be enacted.

Joni Kelly Bennett, 4003 Lynn Avenue, observed it was obvious that much time had been spent on study. Ms. Bennett suggested the City of Edina follow the example of St. Louis Park in working with the neighborhood association. She urged that all interests must be taken into account as the Council plans for the future. Ms. Bennett said that the community was not just the residents of the future, but those persons who lived and worked in Edina today.

Member Housh made a motion to close the public hearing seconded by Member Masica.

Rollcall:

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

Mayor Hovland suggested that the Green Space issued should be discussed; pointing out it had been referred to a couple of times during the public comments. Mr. Hughes explained that staff was working through the Nine Mile Creek and Minnehaha Watershed Districts, who were developing their 509 Water Quality Plans. He said as part of those plans the Watershed Districts would be imposing upon cities requirements to address the issue that no more storm water can leave sites than left in 1987. Mr. Hughes said this seemed like a tie in with open space and green space requirements. He said he wanted to understand the new regulations the watershed districts will be imposing so the City may address the issue on a city wide basis rather than just one small section.

Member Hulbert asked what the proposed time line was of the proposed new regulations. Mr. Houle explained that the new regulations would be enforced through the Pollution Control Authority PCA. He said the PCA had not finalized the process and it was hoped this would be accomplished in April. Mr. Houle explained the City would then need to study their 1988 flows out of the City as compared to those of the current time. He said the City must then project out twenty years, the flow and match it to the 1988 levels. Mr. Houle explained this would be a fairly intensive study. Mr. Hughes added this was surface water flow and not sanitary sewer. He added after the City received the rules, it will have to formulate regulations that would affect surface water on all City property, and for that reason he suggested it would be difficult to guess what rules could be placed on the zoning districts under discussion.

Member Hulbert said for that reason, she would not be in favor of approving any project until information was available regarding the green space regulations that will be required. Mayor Hovland pointed out the areas north and south of West 70th were impervious areas now, so it was unlikely that there would be tremendous requirements for additional green space. Member Hulbert said she felt that any future redevelopment should not be approved until what would be required of them was known. She suggested that one site for public art be designated for every two acres of property.

Mayor Hovland asked for a review of the process to be followed when looking at zoning ordinance amendments. Mr. Hughes explained that ordinances require two readings. He said the first reading was an offering of the proposed amendment and that an ordinance would not be adopted until it received its second reading. He outlined the choices available to the Council: 1) grant first reading 2/21 and consider second reading 3/6; 2) grant first reading with amendments to be considered at second reading 3/06; 3) postpone first reading to make revisions to the proposed ordinance; 4) reject the proposed amendment totally; or 5) grant first reading and waive second reading.

Mayor Hovland suggested that the Council review the proposed ordinance amendment elements and discuss which they were comfortable with and which needed some revision. It was decided to follow the order of the staff report with each member offering their views:

FLOOR AREA RATIO - FAR

Member Swenson said she was comfortable with the changes, noting she especially liked the bonus. She asked that some tools be found to establish affordable standards for housing. Member Swenson also expressed some concern about whether or not there should be a minimum FAR.

Member Housh, Member Masica, Member Hulbert and Mayor Hovland all indicated they were comfortable with the recommendation to change the FAR.

SETBACK

Member Hulbert said that she would be commenting on both primary building and parking ramp setbacks because she felt parking ramps were buildings. She questioned why there were separate setbacks promulgated for parking ramps. Mr. Hughes explained under the current ordinance regulations the normal setback for parking was twenty feet from the right-of-way, which meant it would be 30-35 feet from the curb. Historically, he said they have considered low level parking ramps or decks, i.e. less than twenty feet in height, to be the same as a parking lot. Mr. Hughes said as you get taller than that, the setback ordinances then begin to apply. So the proposed setbacks were based upon what really existed within the city as parking ramps. Member Hulbert asked if twenty feet was enough space for a sidewalk and screening, and whether 850.16 subd. 12 paragraph A should be dropped. Mr. Houle said that a twenty foot setback would allow for a sidewalk and screening. Mr. Hughes said staff would review because the section in question was much more relevant to PCD-1 and PCD-2, so he suggested reviewing the section. Member Hulbert said she also did not want to be boxed in with the setback provisions if there were additional needs such as turn lanes, etc. Mr. Hughes replied this would already be part of the review process. Member Hulbert also asked about potential zero setbacks if a skyway or tunnel were necessary. Mr. Hughes explained that City would be able to reduce the setback to zero in those circumstances.

Member Masica said she was comfortable with the proposed setback in the amendments. She suggested it might be desirable to require any tall building be stepped back as they went taller. Mr. Hughes said he thought this was already taken care up with provisions requiring an increase in the setback to the component parts of the building as the height increased.

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Member Housh said he was okay with the setbacks, noting this was an evolving area of the Greater Southdale Area. He expressed concern with how the vitality of the area would change over the next twenty years.

Member Swenson indicated she was comfortable with the setback provisions. She expressed some concern about parking ramps, suggesting she would rather build affordable workforce housing around the outside of a parking ramp with the ramp on the inside. Member Swenson said parking ramps were important because they can be either an addition to an area or stand out like a sore thumb, so if they can be camouflaged in some way with either buildings or greenery, it was important.

Member Hulbert asked then if the parking ramp was wrapped with retail, what setback would apply to the retail, the ramp setback of twenty feet or 35 feet of the building. Mayor Hovland indicated he also intended to ask this question. Mr. Hughes said the building setback of thirty-five feet would apply if the ramp was to be wrapped with the retail or housing uses.

TRAFFIC DEMAND MANAGEMENT TDM

Member Housh said he like the provision noting its emphasis on mixed use development.

Members Swenson and Masica indicated there were fine with the TDM requirements.

Member Hulbert asked if two studies would be required. Mr. Hughes replied that yes, two studies would be required.

SANITARY SEWER CAPACITY

The entire Council indicated their comfort with the proposed amendment language relative to Sanitary Sewer Capacity.

PARKING RAMP STANDARDS

Member Housh and Member Masica said they were fine with ramp standards

Member Hulbert said she felt there needed to be a height limit on parking ramps stating she did not see any setbacks in the code. Mr. Hughes explained that setback increased as building height increased, but there was no height limit in the existing code or proposed amendment.

Mayor Hovland asked if Member Swenson experienced problems with the height of parking ramps during her tenure on the Planning Commission. She replied she did not remember it ever being an issue. Member Swenson said the issue in planning was rather how did the needed parking get built for the development on the site. She agreed she would not like an eight story parking ramp, but was also uncomfortable placing a limit on height of ramps since it might preclude providing adequate parking. Mr. Hughes said parking was very expensive to build and he did not believe it was particularly advantageous to a developer to have a tall parking ramp. He noted that in the areas proposed to be four stories the ramps would be limited. Mr. Hughes suggested that staff could review the height of the ramp relative to the height of the building it was serving.

SIDEWALKS/TRAILS

Member Hulbert said she did not agree with saying that sidewalks must match the City's Sidewalk Plan because she thought the plan for the PCD-3 District did not meet the needs of the PCD-3 District of attempting to have a high pedestrian use area. She stated the Plan did not require sidewalks on the east side of France Avenue where she believed sidewalk was needed. The plan also did not require sidewalk on the north side of West 70th Street where she also felt a sidewalk was needed. Member Hulbert suggested changing the language to require boulevard sidewalk be installed on all street frontages of all property being developed or redeveloped. Council briefly discussed whether or not it would be advisable to include boulevard in this language. Member Housh suggested there might be an issue requiring sidewalks of all developments might end up with a sidewalk to nowhere just to comply with the ordinance. Mr. Hughes suggested that the language not tie to the Cities' Sidewalk Plan, that language suggest boulevard sidewalks were preferred, that installation on all street frontages be added. He said the sidewalk language would apply to any development within the City requiring a Final Development Plan, not just the PCD District. Following further discussion, Mr. Hughes suggested language that said developers would include sidewalks wherever feasible with Final Development Plans and Conditional Use Permits which would allow the application of this more City wide.

The Council discussed how to create the continuity of a desired landscape plan along several individual properties' sidewalks. It was noted that there was a need for bicycle parking along the sidewalks, and that as the promenade developed there would be no reason to not make the right of way along the sidewalk complement that design. Discussion took place about whether or not air rights or tunnels would be needed to allow pedestrians to cross the busy streets and should developers be required to pay for such things, would there be a need for interconnectivity goals, and how the building of the skyway from Fairview Southdale Hospital to their ramp were discussed. It was also noted that bus shelters should be required and they should be compatible to the surrounding buildings.

Member Hulbert said she felt that she would like to see a vision of the area, perhaps a pre-amble added to Section 850. She said that the proposed amendment did not have anything about green space, landscaping, sidewalks, etc. that has been discussed and were desired. Mr. Hughes pointed out that proposed Ordinance No. 2006-2 had a pre-amble, and that historically these have not been codified. He suggested that this preamble could be appended to Section 850 if desired. Member Hulbert asked that an Item "K" dealing with green space be added to the goals and objectives which would then become codified. Council consensus was to add an Item K speaking about green space.

HEIGHT

Member Swenson stated she did not want to pick a specific height, but would rather see language based upon preserving green space. She said that low squatty buildings can end up filling up the area so the end result was very little green space and lots of impervious surface. She suggested she did not have a specific height, instead she was uncomfortable with, and would rather opine on case by case basis.

Member Housh stated he would be comfortable with 17-18 stories, suggesting it would be more the way a particular building fit the property that would determine whether it was a good building and appropriate for the site. He said he could support the existing language of the proposed amendment.

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Member Masica noted that the Council wanted to support a good economic base for the community. She said in order to do so; the City would need to allow some height. Member Masica said she could not accept twenty stories, stating that Edina was first and foremost a residential community. She agreed that Southdale be kept viable, but suggested it be remembered that the Council also represented the people speaking to them. Member Masica added she also had a difficult time getting beyond the traffic issues. She suggested as a compromise that a height of 12-14 stories be used. Member Masica said she would not want to see a few tall buildings surrounded by low level buildings.

Member Hulbert agreed that projects need to be reviewed on a case by case basis, and that community input was vital to the community. She stated giving a twenty story limit would be throwing away the input of citizens or the Council. This would be overreaching and the Council's ability to say no would be limited. Member Hulbert said developments should be looked at on a project by project basis and that if necessary she would set the limit at ten stories.

Member Housh said he did not think you could look at development on a case by case basis with the thought of granting variances because of the need to establish hardship. He asked staff to speak to the issue. Attorney Gilligan replied that statute required an undue hardship to be demonstrated before a variance could be granted.

Member Hulbert asked how the existing tall buildings were accomplished, i.e. Point of France, Edinborough. Mr. Gilligan said he did not know about Point of France, but that Edinborough did not require a variance because it met zoning regulations.

Mayor Hovland said he has gotten much more comfortable with increased height since the Southdale Study was undertaken. He said it was just another way of dealing with the housing needs and that he believed it was more important to deal with how the proposal interacted with the space around it than the height. Mayor Hovland added he believed the market, not the developers, were telling the City something. He added that he has had many e-mails from people indicating concern over Southdale and he believed the changes proposed would be good for Southdale. Mayor Hovland said the businesses from 70th Street north to 66th Street were the core of the business district. He said the area was a neighborhood, community and regional shopping center all at the same time resulting in a combination of uses. Mayor Hovland added he believed the desire of all was for the area to be successful. He said he felt as Edina's next maturation step the City must allow height. Mayor Hovland said that increasing the height would make the area economically viable and that it would not adversely affect the area. Mayor Hovland said he thought twenty stories was somewhat subjective and that he would be comfortable with 17-18 stories noting the existing scattered heights already in existence in the District. He stated that the decision must be made looking at what was best for the whole city and that making the proposed changes would allow the city to prosper.

Member Masica said that if more density was created more traffic would be generated. She expressed her concern because no new traffic corridors were possible, so traffic would be an issue, and in her view twenty stories would be detrimental upon the citizens. She said that coming to an agreement on a lower height limit as offered before would be a reasonable compromise of balance the need for maintaining commercial vitality with residents concern about traffic.

Member Hulbert said she was very concerned and outlined a worst case scenario whereby the owners of Southdale Shopping Center who were struggling financially decided to tear the mall down and build tall buildings, if the City changed the zoning to allow tall buildings up to twenty stories. She suggested Southdale might be more valuable to build a virtually small city of high end condominiums and warned that changing the zoning code could open up the area to consequences that have not been anticipated.

Member Housh noted receiving correspondence from Council's predecessors. He said the decisions get more and more difficult the longer he has been a Council member. Member Housh said while he appreciated all the concerns and opinions of the persons speaking before the Council, it was time for the Council to make a decision. He said the Council would most likely not know if the decision made was the correct decision for some time Member Housh stated that change was inevitable, adding that making no change was making a decision on the types of development that would happen in the corridor. He said traffic will increase no matter what developments occur, adding he would not want to see big box development in the area.

Member Swenson quoted the former City Manager's letter, "Cities are no different than private businesses. You need to grow and invest in your business to survive and stay viable. The same as the City must grow and reinvest in your city." She said she looked at the proposed changes as a reinvestment in the City of Edina.

Member Masica agreed that there should be reinvestment, but reiterated her position on a lower height as a compromise asking if there was any other suburb with a twenty story height limit.

Member Swenson said she was suggesting no height limit. Member Masica disagreed. Member Housh asked if either position were an option as a prudent course of action. Mr. Gilligan said that allowing a limit of ten stories and allowing variances for higher buildings would not be in the best interest of the City because of the difficulties of administering variance requests. He added that no height limit, you would let the setback regulate height. Member Housh asked if you could restrict someone who met setback and wanted 26 stories. Mr. Gilligan said that would be difficult if the proponent met zoning regulations. He suggested that the City must have standards so as not to be considered arbitrary in their decision making.

Member Housh made a motion granting first reading of Ordinance No. 2006-2, Amending Edina Code Section 850.07, 850.08, and 850.16 - Zoning Regulations with the following changes: . Member Swenson seconded the motion.

Following the motion there was a rather intense discussion with each member stating their position clearly on the issue of height. Member Hulbert stated she still believed height should be managed using a variance process. Member Masica stated that 17-18 stories was too high and would be out of character and symmetry for the area, asking for a compromise of 12-14 stories. She added that height was such an issue it would change the face of the City. Member Housh said he felt the Council needed to move forward. Mayor Hovland agreed adding that he felt some tall buildings were as beautiful as sculptures if done correctly. The Mayor called the question.

Rollcall:

Ayes: Housh, Swenson, Hovland

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Nays: Hulbert, Masica
Motion carried.

RESOLUTION NO. 2006-24 ADOPTED GRANTING FINAL DEVELOPMENT PLAN - RINK PROPERTIES (7300 BUSH LAKE ROAD) Affidavits of Notice were presented, approved and ordered placed on file.

Planner Larsen said the proponent, Rink Properties, LLC, has requested a Final Development Plan to allow the existing Northwest Tennis Club site and building at 7300 Bush Lake Road, to be remodeled and converted for use as two hockey rinks and the required support facilities. He added the proposed conversion to a hockey facility would be a permitted use in the Planned Industrial Zoning District. The building's primary use would be as a hockey training and practice facility. Mr. Larsen said the applicants have indicated the facility would be home to Minnesota Made Hockey, which was a training and development program for youth hockey in the State of Minnesota.

Mr. Larsen noted the existing building had been a Northwest Tennis Club and was in the process of being remodeled for use by the Fellowship of the Kings Church. Rink Properties LLC has proposed to convert the existing structure and expand it to allow two ice sheets, locker rooms, restroom, office and a lobby area. He said the proposed main floor addition would consist of 9,989 square feet and would in-fill the south east corner of the building. A 4,142 square foot addition of unoccupied space has been proposed to the upper floor of the building. Mr. Larsen noted a small 38 foot by 25 foot addition was proposed to the west side of the building for the mechanical/refrigeration equipment. He reported that no variances would be necessary for the additions.

Mr. Larsen said the facility will be used for hockey training and practice with occasional games played on the rinks. He added that no spectator seating was proposed as part of the plan. Mr. Larsen said the proponents have indicated the maximum occupant load would be 600. He said with existing parking on site at 320 of which six stalls would be handicapped accessible, parking exceeded ordinance requirements.

Mr. Larsen reported the Planning Commission unanimously recommended the City Council grant the requested Final Development Plan.

Mike Palm, 5034 Bruce Avenue, explained he was the proponent and that along with Steve Malarky and Bernie McBain, they intended to convert the property at 7300 Bush Lake Road into a hockey player development school. Mr. Palm reported that he had conversations with both the Edina Hockey Association and the Edina Park Director. Mr. Palm said he and his partners were also looking into the possibility of inviting the Southwest Curling Club into their establishment on one of the rinks. Mr. Palm said that Mr. McBain has in the past been very successful in developing championship hockey teams and showed pictures of several youth who have been taught by Mr. McBain. He said that with the significant increase in girls' athletics there was a tremendous need for more training facilities in the area.

Member Masica asked what the partners' previous experience was in running a developmental hockey facility. Mr. Palm replied that while Mr. McBain has run hockey schools for thirteen years they did not have direct experience in running a hockey facility. He added that they have

very reliable contractors and hope to be running their facility by June of 2006 and then later to move to Phase Two which would add classrooms eventually housing a private school for grades two through eight.

Mayor Hovland called for public comment. No one appeared to comment.

Member Swenson made a motion closing the public hearing, seconded by Member Masica.

Rollcall:

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

Member Swenson made a motion introducing the following resolution and moving its approval granting the Final Development Plan for Rink Properties - 7300 Bush Lake Road.

RESOLUTION NO. 2006-24

APPROVING FINAL DEVELOPMENT PLAN

RINK PROPERTIES

7300 BUSH LAKE ROAD

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, that that certain Final Development Plan for 7300 Bush Lake Road presented by Rink Properties LLC, at the regular meeting of the City Council on February 21, 2006, be and is hereby granted Final Development Plan approval.

Passed and adopted by the Edina City Council this 21st day of February, 2006.

Member Masica seconded the motion.

Rollcall:

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

RESOLUTION NO. 2006-25 APPROVING PRELIMINARY PLAT FOR LORING MANOR 2ND ADDITION - 6621 NORMANDALE ROAD Affidavits of Notice were presented, approved and ordered placed on file.

Planner Larsen explained the subject property was a developed single dwelling lot containing an area of 60,044 square feet. He said the existing home was located approximately mid lot. Mr. Larsen said the property was accessed by Normandale Road adjacent to Highway 100. He said the proponents intended to remove the existing house to allow construction of two new homes on the two separate lots.

Mr. Larsen stated the following were the median size and dimensions of lots within 500 feet of the subject property.

Median Lots Parameters - 500 Feet

<u>Width</u>	<u>Depth</u>	<u>Area</u>
98.4 feet	174.1 feet	17,573 square feet

Proposed Lots Parameters

Lot 1	92.5 feet	367.38 feet	33,777 square feet
Lot 2	92.5 feet	368.18 feet	34,267 square feet

Mr. Larsen said the two new lots would need a 5.9 foot lot width variance.

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Mr. Larsen reported the Planning Commission unanimously recommended the City Council grant the requested preliminary plat including the lot width variances, subject to Final Plat and subdivision dedication.

Member Swenson asked if there were variances expected to be needed when future owners were building their houses in light of the lot width variances needed for the subdivision. Mr. Larsen replied that there should be no reason for a variance to build a house on either lot.

Mayor Hovland called for public comment. No one appeared to comment.

Member Masica made a motion closing the public hearing seconded by Member Swenson.

Rollcall:

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

Member Swenson introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2006-25
APPROVING PRELIMINARY PLAT FOR
LORING MANOR SECOND ADDITION
6621 NORMANDALE ROAD**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, that that certain plat entitled, "LORING MANOR SECOND ADDITION ", platted by Robert Engstrom Companies, and presented at the regular meeting of the City Council on February 21, 2006, be and is hereby granted preliminary plat approval.

Passed and adopted by the Edina City Council this 21st day of February, 2006.

Member Housh seconded the motion.

Rollcall:

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

RESOLUTION NO. 2006-23 APPROVING FINAL PLAT FOR FREY'S NORTH ADDITION

Planner Larsen reminded the Council that Preliminary Plat Approval had been granted on January 17, 2006, on Frey's North Addition, 5201 Schaefer Road. He noted the subdivision dedication proposed was based upon an unimproved land value of \$610,000.00

After a brief discussion, **Member Hulbert introduced the following resolution and moved its adoption subject to Subdivision Dedication in the amount of \$48,800.00:**

**RESOLUTION NO. 2005-23
APPROVING FINAL PLAT FOR
FREY'S NORTH ADDITION
5201 SCHAEFER ROAD**

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, that that certain plat entitled, "FREY'S NORTH ADDITION", platted by John E. Kylo and Carol Kylo, husband and wife and fee owners, and presented at the regular meeting of the City Council on February 21, 2006, be and is hereby granted final plat approval subject to a Subdivision Dedication in the amount of \$48,800.00.

Passed and adopted by the Edina City Council this 21st day of February, 2006.

Member Masica seconded the motion.

Rollcall:

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

FIRST READING GRANTED FOR ORDINANCE NO. 2006-1 - AMENDING SECTION 850 TO REQUIRE INSTALLATION OF SIGNS FOR FINAL DEVELOPMENT PLANS AND SECTION 810 REQUIRING MAILED NOTICE FOR SUBDIVISIONS Mr. Hughes noted the Council had at their February 7, 2006, meeting reviewed and discussed Ordinance No. 2006-1 amending Section 850 requiring the installation of signs for Final Development Plans and Section 810 requiring mailed notices for subdivisions. He noted the Council had requested staff to review in particular the mailed notice requirements for various applications under the City's current regulations. In addition, the Council considered the possibility of requiring signs to be posted when the City was considering amending its zoning ordinances. Mr. Hughes said that the proposed ordinance had been amended increasing the mailed notices from 500 feet to 1,000 feet for Rezoning, Final Development Plans or Conditional Use Permits. He noted this change would quadruple the geographic area receiving notice of such applications. Mr. Hughes added that because of the cost for preparing such notices, it was suggested that an amendment to the application fees be made whereby a charge of \$1.00/parcel would be required of applicants to defray the cost of the mailing.

Mr. Hughes said the ordinance would also require that signs be posted on properties seeking approval of Final Development Plans, noting the current code required signs only for rezoning, subdivisions or conditional use permits.

Mr. Hughes said that after further review with City staff and the City Attorney, he was recommending the Council not consider requiring that the City erect notification signs when considering amendments to zoning ordinances. Mr. Hughes noted the potential difficulties with erecting and placing such signs on private property and within the public right-of-way which would be contrary to other City ordinances. He pointed out that such potential changes could be publicized in *About Town*, website postings and Channel 16 announcements. Mr. Hughes stated he did not believe temporary signs were the best venue for that purpose.

Member Masica asked for a clarification of from what point the 1000 foot mailing would be measured. Mr. Hughes replied that mailings would go to every property owner within 1000 feet measured from the outside boundary of the subject property.

Member Housh suggested that the mailings include a picture or photograph of what was involved. Mr. Larsen said they were attempting to be more specific. Mr. Hughes said that adding an air photograph or graphic could be done.

Member Hulbert said she believed any proposed amendment of a zoning ordinance needed a sign posted.

Member Swenson indicated her support of the ordinance revised as per Mr. Hughes.

Member Housh agreed adding that increasing the mailing area to 1000 feet should ensure adequate notice.

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Mayor Hovland commented he also could understand the difficulty of placing signs for zoning parameter amendments. He indicated his support for the revised ordinance as presented.

Member Masica indicated her agreement with the revised ordinance.

Member Housh made a motion granting First Reading for Ordinance No. 2006-1 - Amending Section 850 to Require Installation of Signs for Final Development Plans and Section 810 Requiring Mailed Notice for Subdivisions. Member Swenson seconded the motion.

Ayes: Housh, Masica, Swenson, Hovland

Nays: Hulbert

Motion carried.

CONCERN OF RESIDENT Roberta Thorpe, 6904 Cornelia Drive, indicated that while watching televised meetings in the Council Chambers the name of the person speaking is difficult to discern because of the position of the name plates on the dais. The Council explained if the name plates were moved up, the Council would not be able to see the audience.

***HEARING DATE SET OF MARCH 6, 2006, FOR FINAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT FOR GABBERT & BECK/RYAN COMPANIES - 3510 GALLERIA** Motion made by Member Swenson and seconded by Member Housh setting March 6, 2006, as hearing date for Final Development Plan and Conditional Use Permit for Gabbert & Beck/Ryan Companies, 3510 Galleria.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR EDINA AQUATIC CENTER - SANDBLAST AND PAINT POOL SHELL** Motion made by Member Swenson and seconded by Member Housh approving the award of bid for the Edina Aquatic Center sandblast and paint pool shell to recommended low bidder, American Sandblasting, Inc., at \$28,500.00.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR PARK MAINTENANCE FOR 4 X 4 PICKUP TRUCK** Motion made by Member Swenson and seconded by Member Housh approving the award of bid for a Chevrolet Colorado 4 X 4 pick-up truck for the Park Maintenance Department to Thane Hawkins Polar Chevrolet at \$18,579.44, under Hennepin County Bid #1962B.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR UTILITY DEPARTMENT - ONE, ONE-HALF TON PICKUP TRUCK** Motion made by Member Swenson and seconded by Member Housh approving the award of bid for a ½ ton Chevrolet pickup truck to recommended bidder Thane Hawkins Polar Chevrolet under State Contract 435598 at \$16,639.35, tax included.

Motion carried on rollcall vote five ayes.

***AWARD OF BID FOR UTILITY DEPARTMENT - ONE, ONE-TON PICKUP TRUCK** Motion made by Member Swenson and seconded by Member Housh approving the award of bid for one, one-ton Chevrolet pickup truck to recommended low bidder, Thane Hawkins Polar Chevrolet at \$21,628.39 tax included.

Motion carried on rollcall vote - five ayes.

***AWARD OF BID FOR UTILITY DEPARTMENT - ONE, COMPACT PICKUP TRUCK**
Motion made by Member Swenson and seconded by Member Housh approving the award of bid for a compact pickup truck to recommended bidder, Thane Hawkins Polar Chevrolet under Hennepin County Contract 1962B5-232 at \$15,372.09 tax included.

Motion carried on rollcall vote – five ayes.

***AWARD OF BID FOR POLICE DEPARTMENT - 55, GLOCK .40 CALIBER HANDGUNS WITH HOLSTERS AND MAGAZINES** Motion made by Member Swenson and seconded by Member Housh approving the award of bid for 55, Glock handguns and accessories to sole bidder, Streicher's at \$21,208.41.

Motion carried on rollcall vote – five ayes.

***TRAFFIC SAFETY STAFF REVIEW FOR FEBRUARY 7, 2006, APPROVED** Motion made by Member Swenson and seconded by Member Housh approving the Traffic Safety Staff Review for February 7, 2006, Section A, B, and C.

Motion carried on rollcall vote – five ayes.

RESOLUTION NO. 2006-22 ACCEPTING VARIOUS DONATIONS TO THE CITY OF EDINA
Mr. Hughes indicated in order to comply with State Statutes, all donations to the City must be adopted by a resolution approved by four favorable votes of the Council accepting the donation.

Member Housh noted that he served on the Board of Fairview Southdale Hospital. Attorney Gilligan said he could see no problem with conflict of interest in this matter.

Member Swenson introduced the following resolution and moved its adoption:

**RESOLUTION NO. 2006-22
ACCEPTING DONATION
ON BEHALF OF THE CITY OF EDINA**

WHEREAS, Minnesota Statute 465.03 allows cities to accept grants and donations or real or personal property for the benefit of its citizens;

WHEREAS, said donations must be accepted via a resolution of the Council adopted by a two thirds majority of its members.

NOW, THEREFORE, BE IT RESOLVED, that the Edina City Council accepts with sincere appreciation the following listed donation on behalf of its citizens to the Edina Park Department.

Fairview Southdale Hospital \$13,000.00 Edina 4th of July Fireworks Display

Dated: February 21, 2006

Member Masica seconded the motion.

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

CHANGE ORDER FOR STORM SEWER PIPE DURING GYM CONSTRUCTION Mr. Hughes said on February 8, 2006, the Joint Powers Oversight Committee (JPOC), recommended approval of a change order to correct an unforeseen problem with a storm sewer pipe necessary to drain water from the new South View Gym under construction. Kraus-Anderson, the construction manager, recommended installation of the pipe and issuance of a change order. The original contract for Veit Company was for \$50,450.00, and the change order necessary was in excess of the 10% of the original contract or \$7,280.00.

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Member Masica made a motion approving the change order to correct a storm sewer pipe issue during construction of the South View Middle School gym in the amount of \$7,280.00. Member Swenson seconded the motion.

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

*RESOLUTION NO. 2006-21, SETTING HEARING DATE OF MARCH 21, 2006, For ROADWAY IMPROVEMENT PROJECT NO. BA-332, WM-456, SS-427, AND STS-315 CRESTON HILLS NEIGHBORHOOD Member Swenson introduced the following resolution, seconded by Member Housh and moved its approval:

RESOLUTION NO. 2006-21

**SET PUBLIC HEARING OF MARCH 21, 2006,
FOR SEWER, WATER AND STREET RECONSTRUCTION
IMPROVEMENTS NO. BA-332, WM-456, SS-427, STS-315
CRESTON HILLS NEIGHBORHOOD**

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF EDINA, MINNESOTA, that a public hearing shall be held on 21st day of March, 2006, in the Council Chambers at City Hall at 7:00 P.M. to consider Sewer, Water and Street Reconstruction Improvement Projects No. BA-332, WM-456, SS-427, and STS-315 for the Creston Hills Neighborhood.

BE IT FURTHER RESOLVED, that the City Clerk shall give mailed and published notice of such hearing and improvements as required by law.

ADOPTED this 21st day of February, 2006.

Motion carried on rollcall vote – five ayes.

APPOINTMENTS MADE TO BOARDS, COMMISSIONS, COMMITTEES Mayor Hovland noted that twenty two applications had been received for vacancies on the Planning Commission. After interviewing a number of the applicants, Mayor Hovland made a motion appointing the following residents to fill vacancies as follows:

PLANNING COMMISSION

NAME	TERM
Nancy Nyrop Scherer	2/1/09
Kevin Staunton	2/1/09
Scott Thiss	2/1/07

Member Swenson seconded the motion.

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

Mayor Hovland made a motion appointing the following residents to fill vacancies on the Construction Board of Appeals as follows:

CONSTRUCTION BOARD OF APPEALS

NAME	TERM
Tom Gump	2/1/09
Ralph Overholt	2/1/09
Sean Wenham	2/1/07

Member Housh seconded the motion.

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

Mayor Hovland made a motion appointing the following resident to fill a vacancy on the Heritage Preservation Board as follows:

HERITAGE PRESERVATION BOARD

NAME	TERM
Laura Benson	2/1/08

Member Swenson seconded the motion,

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

Mayor Hovland made a motion appointing the following residents to fill vacancies on the East Edina Housing Foundation as follows:

EAST EDINA HOUSING FOUNDATION

NAME	TERM
James Nelson	2/1/09
Jeff Huggett	2/1/09

Member Housh seconded the motion.

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

Mayor Hovland made a motion appointing the following resident to fill a vacancy on the Human Rights and Relations Commission as follows:

HUMAN RIGHTS AND RELATIONS

NAME	TERM
Dan Rasmus	2/1/07

Member Swenson seconded the motion.

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

Mayor Hovland made a motion re-appointing the following residents to fill two of three vacancies on the Art Center Board as follows:

ART CENTER BOARD

NAME	TERM
JIM VAN VALKENBURG	2/1/09
MIKE KELLY	2/1/09

Member Housh seconded the motion.

Ayes: Housh, Hulbert, Masica, Swenson, Hovland

Motion carried.

***CONFIRMATION OF CLAIMS PAID** Member Swenson made a motion and Member Housh seconded the motion approving payment of the following claims as shown in detail on the Check Register dated February 8, 2006, and consisting of 33 pages: General Fund \$226,289.85; Communications Fund \$9,103.93; Working Capital Fund \$432,715.53; Construction Fund \$165,358.25; Art Center Fund \$1,544.47; Golf Dome Fund \$402.17; Aquatic Center Fund \$410.00; Golf Course Fund \$45,899.27; Ice Arena Fund \$28,262.30; Edinborough/Centennial Lakes Fund \$17,951.19; Liquor Fund \$158,883.84; Utility Fund \$48,650.31; Storm Sewer Fund \$4,774.13; Payroll Fund \$3,365.60; TOTAL \$1,143,610.84; and for approval of payment of claims dated February 15, 2006, and consisting of 25 pages: General Fund \$579,105.23; Communications Fund \$7,940.05; Working Capital Fund \$25,530.11; Art Center Fund \$1,652.83; Golf Dome Fund \$507.92; Aquatic Center Fund \$2,067.29; Golf Course Fund \$10,225.25; Ice Arena Fund

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\$20,283.61; Edinborough/ Centennial Lakes Fund \$11,219.85; Liquor Fund \$136,532.36; Utility Fund \$304,780.49; Storm Sewer Fund \$65.52; Recycling Fund \$33,874.00; PSTF Fund \$3,375.39; TOTAL \$1,137,159.90.

Motion carried on rollcall vote – five ayes.

There being no further business on the Council Agenda, Mayor Hovland declared the meeting adjourned at 12:42 P.M.

City Clerk